

SECTIONS.

81. Person interested may apply to Government to annul, reverse or alter any rule or order.

When a suit shall lie to the District Court to declare a rule or order unlawful.

82. *Repealed.*

SCHEDULE A.—ENACTMENTS REPEALED.

SCHEDULE B.—FORM OF CERTIFICATE FOR POLICE-OFFICER OF THE GRADE OF HEAD-CONSTABLE OR CONSTABLE.

BOMBAY ACT No. IV of 1890.¹

[4th September, 1890.]

An Act to amend the law for the regulation of the District Police in the Presidency of Bombay.

WHEREAS it is expedient to amend the law for the regulation of the District Police of the Presidency of Bombay ; It is enacted as follows :—

CHAPTER I.

PRELIMINARY.

² [1. (1) This Act may be cited as the Bombay District Police Act, 1890. Short title.

(2) It extends to the whole of the Presidency of Bombay, except the City of Bombay, Sind and Aden, but Government may at any time by ³notification in the Bombay Government Gazette extend it, or any part of it, to any portion of either Sind or Aden.]

¹ For Statement of Objects and Reasons, see Bombay Government Gazette, 1889, Part V, pp. 82 and 84 ; for Report of Select Committee, see *ibid*, 1890, p. 35 ; and for Proceedings in Council, see *ibid*, 1890, pp. 29, 66, 80 and 95.

This Act, with certain restrictions and modifications, has been extended, by notification under the Scheduled Districts Act, 1874, to Aden—see Notn. No. 1191, dated the 29th February 1892, Bombay Government Gazette, 1892, Pt. I, p. 189 ; and to Sind except s. 76—see Notn. No. 1092, dated the 7th October, 1922, Bombay Government Gazette, 1922, Pt. I, p. 2345.

² This section was substituted by s. 1 of the Bombay District Police (Amendment) Act, 1898 (Bom. Act 3 of 1898), Vol. IV of this Code.

³ For notifications extending certain sections of the Act to Sind, see Bombay Local Rules and Orders.

Repeal of
enactments.

2. Subject to the provision in section I,¹[sub-section (2),] the enactments mentioned in Schedule A are repealed to the extent specified in the third column thereof ² * * *

All references made in any enactment of the Governor of Bombay in Council to any enactment hereby repealed shall be read as if made to the corresponding portion of this Act.

All rules prescribed, appointments made, powers conferred, and orders and certificates issued under any such enactment shall, so far as they are consistent with this Act, be deemed to have been respectively prescribed, made, conferred and issued hereunder.

Definitions.

3. In this Act, unless there be something repugnant in the subject or context,—

- (a) "Inspector-General", "Deputy Inspector-General", "District Superintendent", ³["Additional Superintendent,"] ⁴["Assistant Superintendent" and "Deputy Superintendent"] mean, respectively, the Inspector-General of Police, a Deputy Inspector-General of Police, a District Superintendent of Police ⁵[an Additional Superintendent of Police] ⁶[an Assistant Superintendent of Police and a Deputy Superintendent of Police] appointed under this Act:
- (b) "police-officer" means any member of a police-force appointed under this Act:
- (c) "constable" means a police-officer of the lowest grade:
- (d) "district" means a territorial division constituting a district for the purposes of the ⁷ Code of Criminal Procedure, 1882: X of 1882.
- (e) "street" includes any highway and the way over any causeway, bridge, viaduct, arch, quay or wharf, and any road, lane, footway, square, court, alley or passage accessible to the public whether a thoroughfare or not:
- (f) "cattle" includes elephants, camels, horses, asses, mules, sheep, goats and swine:

¹ This word and figure were substituted for the word and figure "sub-section (1)" by s. 2 of the Bombay District Police (Amendment) Act, 1898 (Bom. Act 3 of 1898), Vol. IV of this Code.

² The words "but not so as to render invalid anything done in accordance with any of them" were repealed by the Amending Act, 1895 (16 of 1895), Vol. I of this Code.

³ These words were inserted by s. 2 of the Bombay District Police (Amendment) Act, 1920 (Pom. Act 12 of 1920), Vol. V of this Code.

⁴ These words were substituted for the words "and Assistant Superintendent" by s. 2 and Sch. I of the Bombay Repealing and Amending Act, 1910 (Bom. Act I of 1910), Vol. V of this Code.

⁵ These words were substituted for the words "and an Assistant Superintendent of Police" by *ibid.*

⁶ See now Act 5 of 1898, General Acts, Vol. V.

(g) words and expressions which are defined in the ¹ Code of Criminal Procedure, 1882, have the same meaning as in that Code.

CHAPTER II.

ORGANIZATION OF THE POLICE.

General.

4. In each district of the Presidency of Bombay to which this Act extends, Government may, subject ²[in the case of officers of the Indian Police of and above the rank of Assistant Superintendent] to the control of the Governor General in Council, establish and entertain a police-force of such number in the several ranks and having such an organization and such duties, rights and authority as are hereinafter prescribed and provided for, and receiving such salaries and allowances as shall from time to time be directed and approved by ³[Government].

Police force to be entertained in each district.

5. (1) For the direction and supervision of the police-force of every portion of the presidency to which this Act extends, Government shall appoint an Inspector-General of Police, who shall have such functions, authority and responsibility as are hereinafter provided, subject to the provisions of this Act, and to such rules and orders as may be made by Government in this behalf.

Appointment and authority of Inspector-General of Police.

(2) * * * Government may appoint one or more Deputy Inspectors-General of Police, to whom Government may assign such duties being amongst the lawful duties of the Inspector-General of Police, or in aid and furtherance thereof, as shall to Government seem expedient.

and of Deputy Inspector-General.

(3) The Inspector-General and Deputy Inspector-General may be suspended or removed from office by Government.

Their suspension or removal.

6. Government may appoint⁵ for each district a Superintendent⁶ [an Additional Superintendent] and such Assistant⁷ [and Deputy] Superintendents of Police as it may think expedient, and may dismiss, suspend, reduce, remove or transfer any of such officers as it may think fit.

Appointment of District, Additional, Assistant and Deputy Superintendents.

¹ See now Act 5 of 1898, General Acts, Vol. V.

² These words were inserted by s. 2 and Sch. I of the Devolution Act, 1920 (38 of 1920).

³ This word was substituted for the words "the authorities aforesaid" by *ibid.*

⁴ The words "Subject to the previous approval of the Governor General in Council," were omitted by *ibid.*

⁵ For notification appointing a District Superintendent of Police for Aden, see Bombay Local Rules and Orders. The notification does not appear, however, to have been issued under the power conferred by s. 6, but as an executive order by the Governor in Council. The Act has not been extended to Aden.

⁶ These words were inserted by s. 3 (a) of the Bombay District Police (Amendment) Act, 1920 (Bom. Act 12 of 1920), Vol. V of this Code.

⁷ These words were inserted by s. 2 and Sch. I of the Bombay Repealing and Amending Act, 1910 (Bom. Act 1 of 1910), Vol. V of this Code.